IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2163 of 1988

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PATEL JAGJIVANDAS BAJIDAS - Petitioner(s)

Versus

PATEL NATVERLAL AMBALAL - Respondent(s)

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Appearance :
UNSERVED-EXPIRED (N) for Petitioner(s) : 1,
NOTICE SERVED for Respondent(s) : 1,
MR PJ VYAS for Respondent(s) : 1.2.1,1.2.2
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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 29/09/2005

ORAL JUDGMENT

This is a matter of 1988. Originally, Shri GR Shaikh, learned advocate was appearing on behalf of the petitioner. Unfortunately he has expired. The Office had sent notice with regard to his death to the petitioner which is returned as even the petitioner has also expired. Heirs of the petitioner are not on record.

Under the circumstances, the petition is required to be dismissed as abated. However, it will be open for any heir/s of the original petitioner, Patel Jagjivandas Bajidas to move an appropriate application for bringing the heir/s on record and for setting aside the abatement if they so choose. With this observation, the petition is dismissed as having been abated. Rule is discharged.

[M.R. Shah, J.]

RMR.